

REMARKS

Claims 13-19 are pending. The applicant respectfully requests reconsideration and allowance of the present application in view of the above amendments and the following remarks.

Claims 14, 15, 18 and 19 were objected to as containing informalities. The informalities are corrected herein by amendment which, since not made for reasons related to patentability, do not narrow the scope of the claims for application under the doctrine of equivalents.

Claims 13, 15, 16 and 19 stand rejected under 35 USC 102(b) as being allegedly anticipated by Suzuki, U.S. Patent No. 5,428,259. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Independent claims 13 and 16 are amended herein to clarify that the claimed microstructure is a protuberance. As shown for example in Fig. 1 of the applicant's drawings, the microstructure refers to a concavity and a convexity on the surface of each part extending beyond the surface or boundary. Thus, the definition of protuberance is met by a structure that protrudes.

Accordingly, as can be seen in Fig. 1, in claims 13 and 16 as amended, the protuberance (16) is formed on the movable element (12) and the opposing surfaces of the stationary element (13, 14) or on at least one of the opposing surfaces of the of the movable element (12) and the stationary element (13, 14). As noted, a protuberance means a concavity and a convexity as can be seen by a review of Fig. 1.

Suzuki fails to disclose a protuberance as claimed, e.g. having a concavity and a convexity. Rather, Suzuki, at best, describes an insulating wall (237) on a movable element (232). The insulating wall (237) clearly has no concavities or convexities and thus fails to include a protuberance of any kind.

Accordingly, it is respectfully submitted that a *prima facie* case of anticipation has not properly been established in that the applied reference fails to disclose each and every one of the claimed features. It is respectfully requested that the rejection of claims 13 and 16 be reconsidered and withdrawn.

Claims 15 and 19, by virtue of depending from claims 13 and 16, are allowable for at least the reasons set forth herein above with regard to claims 13 and 16. It is respectfully requested that the rejection of claims 15 and 19 be reconsidered and withdrawn.

Claims 14, 17 and 18 stand rejected under 35 USC 103(a) as being unpatentable over Suzuki. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claims 14, 17 and 18, by virtue of depending from claims 13 and 16, are allowable for at least the reasons set forth herein above with regard to claims 13 and 16. It is respectfully requested that the rejection of claims 14, 17 and 18 be reconsidered and withdrawn.

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'R. L. Scott, II', written over a horizontal line.

Robert L Scott, II

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